

MINUTES
TOWN OF FREDERICK
BOARD OF TRUSTEES

Frederick Town Hall

June 9, 2009

7:00 p.m.

Attendance: Mayor Eric Doering, Mayor Pro Tem Wedel, Trustees Tony Carey, Gerry Pfirsch, Jim Wollack, Liberta Hattel and Amy Schiers. Also present were Town Administrator Derek Todd, Town Clerk Nanette Fornof, Town Attorney Rick Samson, Planning Director Jennifer Simmons, Engineering Director Dick Leffler and Assistant to Town Administrator Jordan Eichem. Audience was also present.

ROLL CALL Mayor Doering called the regular meeting to order at 7:30 p.m.; roll call was taken and all Trustees were present. Trustee Hattel left the meeting at 8:27.

PLEDGE OF ALLEGIANCE Mayor Doering led the audience in the Pledge of Allegiance.

ADDITIONS TO THE AGENDA Trustee Carey made a motion to reconsider approval of the Godding Hollow Metro District Service Plan to accommodate substitution by the district organizers of revised service area boundaries. Mayor Pro Tem Wedel seconded the motion and motion carried unanimously. Mayor Doering stated this item would be addressed under the Action Agenda.

PUBLIC COMMENT

Pam Shaddock, Regional Representative for State Senator Mark Udahl, provided information concerning the American Recovery and Reinvestment Act, which was signed into law in February 2009. Information about the Grant Workshop has been scheduled and the grant workshop will provide information on available grants from the American Recovery and Reinvestment Act.

Jack Levinson, a resident of Prairie Greens, indicated that there are people who are speeding and failing to stop at stop signs within the subdivision and is requesting the Town address the situation. Levinson stated there are "elder folks" on the streets within the subdivision and with no sidewalks, there is a safety issue for these individuals.

Roberto Lamonica, a Prairie Greens resident, voiced his concerns about the people who are speeding and failing to stop at the stop signs within Prairie Greens Subdivision. Lamonica indicated someone is going to get hurt. He (Lamonica) indicated that he fears for the safety of his grandchildren. Also Lamonica voiced his opinion about the tumble weeds in town.

Jan Bax, also a resident of Prairie Greens indicated there were drivers who were going through the stop sign on Mountain View and also speeding in the same area. Bax would like to see something done about the situation.

Sue Chestek, resident of Prairie Greens, voiced her concerns about the speeders and drivers who are failing to stop at the stop signs within the subdivision.

Bill and Ann Williams, Prairie Greens residents and Neighborhood Watch participants voiced their concern about the speeders and drivers who are failing to stop at the stop sign in Prairie Greens Subdivision. Bill Williams indicated there was a group of Prairie Greens residents who are willing to monitor this area and report their findings to the Police Department.

Mayor Doering indicated that staff is aware of the situation and will respond to the concerns.

Dick Pickett, representative from the Greeley/Weld SBDC provided information regarding what programs the department has to offer current business owners and projected business owners in the Town of Frederick. Peter Hyland and Chris Engles, two representatives from the organization, spoke about their experiences with the department.

Jessica Koepp a resident of Frederick voiced her concerns regarding the Town's water shut off policy. Koepp asked if Town staff could try to contact the customer either by a flyer on the door or by a phone call to let the property owner know the water was going to be shut off. Koepp also inquired about the possibility of having the water shut off during the week and not over a weekend.

Town Administrator Derek Todd, informed the Board there were several residents that had their water shut off during the weekend. The current water shut off process defines the process and time frame, which means the water could be shut off on a Friday and not turned back on till Monday. Town staff will be reviewing the current process to see if there could be any amendments.

Jennifer Murdock is the recipient of the Year 2009 Town of Frederick University Scholarship; the scholarship is for \$1,000 per year for four years of college. Murdock thanked the Board for the scholarship and indicated she will keep them informed on her adventure.

STAFF REPORTS

Administrative Report Town Administrator, Derek Todd, provided the Board with the Administrative Report which highlighted the following items: Municipal Home Rule, Spring clean-up Day, Kennedy School of Government and Upcoming Work Sessions for the Board of Trustees. The Engineering Department provided information about Staffing, Northern Integrated Supply Project (NISP), NISP tour and an update regarding the Storm Water Utility Billing. Information regarding the Downtown Development Study was provided by the Planning Department. The Police Department provided information about the Citizens Police Academy, St Vrain Valley School District Emergency Management

Exercise, Frederick Firestone Fire Protection District Safety Day and the resignation of a Police Officer.

Town Administrator, Derek Todd, provided information about the Harvard Kennedy School for Senior Executives in the State and Local Government field. Todd received a scholarship that will pay for the schooling, which will begin in July. Congratulations to Todd!

Town Attorney Report Town Attorney Rick Samson, provided the Board of Trustees with a written Status Report. There was no additional information provided to the Board.

PUBLIC HEARINGS

AM 2009-052, To Consider Sandstone Ridge Estates Preliminary Development Plan The owners of Sandstone Ridge Estates requested a preliminary development plan to allow for storage on a portion of their property. A concept plan was considered by the Board of Trustees at their June 16, 2005, Work Session. The applicant proposed to Town staff the possibility of designating the land as storage of recreational vehicles which would include campers, all-terrain vehicles, boats, and motorcycles on an outlot of Sandstone Ridge Estates. The designated land will be rented to the property owner within the development and if/when there is space available after the property owners have requested space, the additional spaces will be available to the community. The following March (2006) the applicant made application for a Preliminary Development Plan and the application has been in review since then. Town staff provided information about the overlay zoning, when final plat was approved, and what version of the Frederick Land Code this application is being reviewed by.

Staff indicated that all publication requirements had been met. The Board of Trustees voiced their concerns about fencing issues, cost of the landscaping, storage space for non-residents of the subdivision and enforcement.

Mayor Doering asked the applicant if he would like to add anything to the discussion. Wayne Wentworth, the applicant's representative indicated staff had presented the request and he didn't have any additional information to share with the Board; however Wentworth did indicate that he would answer any questions the Board had. There being none, Mayor Doering opened the Public Hearing at 8:27p.m. There being no comments or questions, Mayor Doering closed the Public Hearing at 8:27p.m.

Motion Trustee Wollack made a motion to approve Resolution 09R025, A RESOLUTION REGARDING THE REVIEW OF THE PRELIMINARY DEVELOPMENT PLAN OF SANDSTONE RIDGE ESTATES, AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE PRELIMINARY DEVELOPMENT PLAN, Mayor Pro Tem Wedel seconded the motion and motion carried with Trustee Pfirsch voting "nay" to the motion.

ACTION AGENDA

Reconsideration of the Godding Hollow Metropolitan District Service Plan After reviewing the cost of the infrastructure, developer, U.S. Engineering indicated they would like to pay for their portion of the cost and not be part of the Godding Hollow Metropolitan District for the development. There was discussion regarding the loss of the 3 mills from the bond proceeds that would be paid to the Town and how U.S Engineering wouldn't request at a later date to be part of the Metropolitan District. Attorney David Geahr, indicated the estimated amount the Town would receive because of U.S. Engineering pulling out of the Metro District is to be \$12,000.

Motion by Trustee Carey to approve Resolution 09R025, A RESOLUTION APPROVING THE SERVICE PLAN FOR THE GODDING HOLLOW METROPOLITAN DISTRICT, Mayor Pro Tem Wedel seconded the motion and motion carried with Trustee Pfirsch voting "nay" to the motion.

AM 2009-054, To Consider the Recommendation of the Frederick Arts Commission Year 2009 Project This year's project consists of eight wind sculptures installed just South of 8th Street, between Colorado Boulevard and Main Street. The location has been reviewed by the Engineering and Public Works Department and final locates of utilities will be consider before installation of the sculptures. There will be eight different wind sculptures (a wind forest) installed; each being a different height and width. The Frederick Arts Commission recommends the proposed grouping of the wind sculptures.

Cost of the project is estimated to be \$30,000, which includes the construction of the wind sculptures, installation and prep work. Final figures for the prep work is currently an estimate, once the utility locates are complete and defined a cost can be assessed. There was \$75,000 allocated in this year's budget, so the cost of the project is within the budgeted amount.

The Frederick Arts Commission is planning to have the project completed by Miners' Day. Motion by Trustee Pfirsch to approve the estimated cost and the proposed site of the project, Mayor Pro Tem Wedel seconded the motion and motion carried unanimously.

Trustee Hattel left tonight's meeting at 8:52p.m.

AM 2009-051, To Consider North Area Transportation Alliance Memorandum of Understanding This item is a consideration of joining the North Area Transportation Alliance (NATA) which is comprised of public and private entities concerned with maintaining and improving transportation facilities in the Interstate 25 (I-25) corridor north of Interstate 70 (I-70).

Mayor Eric Doering, Town Administrator Derek Todd, and Town Engineer Dick Leffler have been attending meetings over the past several months related to transportation issues along the I-25 corridor north of I-70. The City of Thornton coordinated the initial meetings

of parties who have concerns with and would be impacted by possible delays in implementing the RTD FasTracks program. Frederick and other north metro communities and businesses have concerns that failure to construct the North Metro Line of FasTracks and other planned improvements could negatively impact the future transportation services in our region. These entities propose that a partnership of public and private entities would be more effective in advocating and lobbying for transportation improvements for the north I-25 corridor than the individual parties acting on their own. The attached Memorandum of Understanding and the NATA Mission, Membership and Organization Principles present the proposed organizational structure of NATA according to the changes discussed at the most recent meeting of interested parties on May 13. The group discussed that they would like all entities who are interested in joining NATA to act on these items by the middle of June.

Motion by Mayor Pro Tem Wedel to approve Resolution 09R026, A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, REGARDING BECOMING A FOUNDING MEMBER OF THE NORTH AREA TRANSPORTATION ALLIANCE (NATA), APPROVING THE MEMORANDUM OF AGREEMENT FOR ORGANIZATION OF NATA and to authorize the Mayor to sign the Memorandum of Understanding, Trustee Wollack seconded the motion and motion carried unanimously.

CONSENT AGENDA

Motion by Mayor Pro Tem Wedel to approve the Consent Agenda with the following items; AM 2009-053, Adopting Ordinance 1003, AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING CERTAIN SECTIONS OF THE TOWN OF FREDERICK MUNICIPAL CODE, 1992 THROUGH THE ADOPTION BY REFERENCE OF THE 2009 COMPREHENSIVE REVISIONS TO THE FREDERICK MUNICIPAL CODE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH and approval of the May 26, 2009, Special and Regular Meeting Minutes, Trustee Schiers seconded the motion and motion carried unanimously.

Approval of the List of Warrants for June 9, 2009, Trustee Carey inquired about who's responsibility it is/was to pay for the Colorado Boulevard sink hole repair. Staff indicated the Town is responsible for the cost of the repairs; however staff is in communication with Central Weld County Water District, who's pipeline was the proposed cause of the sink hole, to see if they will consider paying for a part of the repairs. More information will be given at a later date. Motion by Trustee Carey to approve the list of warrants as presented, Trustee Pfirsch seconded the motion and motion carried unanimously.

DISCUSSION AGENDA

IM 2009-013, Approve a Resolution Defining the Fence and Accessory Building Permit Process Town staff has identified instances where consultation with the Building Official and staff prior to construction of a fence or accessory storage building would have led property owners to avoid code violations and remedial expenses. The Building code does not require a formal building permit for these constructions; it could be valuable for the

Town to adopt a review process for fence and detached accessory building plans. After a lengthy discussion and various options to remedy the situation, the Board of Trustee would like staff to provide information to the Town's residents about the "call before you build" remedy. Information about the call before you build will be part of the newsletter and flyers will be available to the residents before they begin building.

IM 2009-012, Discussion Regarding Upstate Colorado Request Upstate Colorado has requested the Town increase the amount of membership dues paid. The current amount of dues paid annually is \$8,208. Upstate Colorado is requesting that the Town increase the dues to \$16,416, beginning in 2009. The amount was determined by considering the appraised value of land within the Town's municipal boundary. In comparison with other municipalities in the County, the Town ranks third in appraised values. The proposed increase in funding will be considered for the Year 2010 budget.

MAYOR AND BOARD REPORTS

Trustee Carey made comment about the tornado sirens and the disjointed sidewalk in front of the Miners' Memorial Wall. Trustee Carey made a motion for the Town of Frederick to enter into a contract with HRMC, defining the Scope of Work to identify the Town staff operations, administrative process, and systems accomplished by senior management, the contract will not exceed \$30,000 and the monies will come from the Boards training budget and the remainder will come from the Oil and Gas Trust Fund. The contract will also include a staff member from HRMC to facilitate the Board/Staff Retreat in August 2009. Motion was then seconded by Mayor Pro Tem Wedel. Motion carried with Trustee Pfirsch voting "nay" to the motion.

Trustee Pfirsch indicated he will be out of town next week and won't be able to attend the Home Rule Charter meeting.

Trustee Schiers made comment about her CML attendance, residents failing to stop at the stop signs in Prairie Greens Subdivision, water shut offs over the weekend and the Grant Writing work shop.

Mayor Pro Tem Wedel made comment about the various maps being in the Board packet, welcomed Trustee Hattel, water billing, Comprehensive Plan, Stimulus Packet projects and the Relay for Life.

Trustee Wollack had nothing new to report.

Mayor Doering made comment about the ribbon cutting ceremony for Home Depot, thank you note from scholarship recipient Jennifer Murdock, Carbon Valley Recreation District budget, Town of Frederick museum and the "Mayor for a Day" contest

There being no further discussion, Mayor Doering closed the regular meeting at 10:04p.m.

Nanette S. Fornof, Town Clerk

Approved by the Board of Trustees

Eric E. Doering, Mayor

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